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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/568,482

02/15/2006

Christopher James Fitzgerald

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EXAMINER

MAYO III, WILLIAM H

ART UNIT

PAPER NUMBER

2831

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
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3 MONTHS

03/28/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/28/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/568,482	Applicant(s) FITZGERALD ET AL.	
	Examiner William H. Mayo III	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 16-27 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 16-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/15/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in PCT Application No. PCT/GB04/03248, filed on July 28, 2004.
2. Acknowledgment is made of applicant's claim for domestic priority under 35 U.S.C. 120. The 371 PCT Application Number PCT/GB04/03248, filed on July 28, 2004

Information Disclosure Statement

3. The information disclosure statement filed February 15, 2006 has been submitted for consideration by the Office. It has been placed in the application file and the information referred to therein has been considered.

Specification

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The

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disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

5. The abstract of the disclosure is objected to because in line 1, the abstract contains the term "comprises", which is improper language for the abstract. The applicant should replace the term with --has--, to provide the abstract with proper language. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-13 and 16-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Hansen et al (Pat Num 5,753,861, herein referred to as Hansen). Hansen discloses an arrangement (Figs 1-19) for covering an elongated device thereby mechanically protecting, insulating, and sealing the elongated device (Col 1, lines 3-8). Specifically, with respect to claim 1, Hansen discloses an arrangement (Fig 1) comprising an elastically deformable sleeve (12) and a support (16) by which the sleeve (12) is held in a deformed state such that removal of the sleeve (12) from one end of the support (16) allows the sleeve (12) to recover around and thereby to enclose the object (6, lines 32-34), an initialing part (at 19) of the sleeve (12) remote from the end (18) is arranged such that the deformation (i.e. expansion) of the initiating part (at 14) may be locally relaxed initially in isolation from the remainder of the sleeve (12, center being held by

16), wherein the arrangement is such that the local relaxation provides an impetus that facilitates or causes the removal of the sleeve (12) from the one end of the support (as shown in Figs 13a-13b, Col 9, lines 49-55). With respect to claim 2, Hansen discloses that the holding portion (at 50) of the sleeve (12) remote from the one end of the support (16) and beyond the initiating part of the sleeve (12) is in a more relaxed state than the initiating part of the sleeve (12), the relatively relaxed state of the holding portion of the sleeve (12) at least contributing to the holding of the initiating part of the sleeve (12) and consequently also the remainder of the sleeve (12) in the deformed state (Figs 4a-4c). With respect to claim 3, Hansen discloses that the local relaxation of the deformation of the initiating part of the sleeve (12) may be caused by a deformation of the portion of the sleeve (Col 9, lines 49-55). With respect to claim 4, Hansen discloses that the initiating part of the sleeve (12) may be held by the support (16) in a state of greater deformation than that of the remainder of the sleeve (2, Fig 13a). With respect to claim 5, Hansen discloses that the greater deformation of the initiating part of the sleeve (12) is caused by a depression (32) of the support (12, Fig 6). With respect to claim 6, Hansen discloses that the depression (32) is in the form of a groove (Fig 6). With respect to claim 7, Hansen discloses that the depression (61) or protrusion (62) may be movable with respect to the remainder of the support (46') to cause or allow the local relaxation of the initiating part of the sleeve (Col 9, lines 48-54). With respect to claim 8, Hansen discloses that the retaining member (50) attached to the sleeve (12) such that releasing the retaining member (50) from the sleeve (12) causing the local relaxation of the initiating part of the sleeve (Col 9, lines 45-49). With respect to claim 9, Hansen

discloses that the sleeve (12) is hollow and arranged to enclose at least part of the object (1, i.e. cable) by encircling it (Fig 3). With respect to claim 10, Hansen discloses that sleeve (12) is generally in the shape of round or oval tube (Fig 3). With respect to claim 11, Hansen discloses that the sleeve (12) in its relaxed state comprises a plurality of sections differing configurations, wherein each of the sections are arranged to enclose a respective section of the object (1, Fig 4e). With respect to claim 12, Hansen discloses that part of the support (16) is located inside the sleeve (12, Fig 4e). With respect to claim 13, Hansen discloses that the sleeve (12) is hollow (Fig 3). With respect to claim 16, Hansen discloses that the sleeve (12) is formed from an elastomeric polymer material (Col 4, lines 1-33). With respect to claim 17, Hansen discloses that the support (16) is formed from a polymer material (Col 5, lines 1-4). With respect to claim 18, Hansen discloses that the deformation of the sleeve (12) comprises expansion of the sleeve (Fig 13a). With respect to claim 19, Hansen discloses that the state of greater deformation of the initiating part of the sleeve (12) comprises an stretched state (Fig 13A). With respect to claim 20, Hansen discloses that the support (16) has a shape that facilitates the removal of the sleeve (12) from the support (16) once the initiating part of the sleeve (12) has been locally relaxed (Col 9, lines 48-54). With respect to claim 21, Hansen discloses that the support (16) may be tapered to facilitate the removal of the sleeve (12) therefrom (20, Fig 4a). With respect to claim 22, Hansen discloses that the support (16) may carry lubricant materials that facilitates the removal of the sleeve (12) from the support (16) once the initiating part of the sleeve (12) has been locally relaxed (Col 6, lines 53-57). With respect to claim 23,

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Hansen discloses that the removal of the sleeve (12) from the support (16) is substantially automatic once the initiating part of the sleeve (12) has been locally relaxed (Col 9, lines 48-54). With respect to claim 24, Hansen discloses that the sleeve (12) is deformable (Col 6, lines 32-34). With respect to claim 25, Hansen discloses that the step of deforming the sleeve (12) and holding the sleeve (12) in its deformed state by the support (16, Figs 13a). With respect to claim 26, Hansen discloses that the method further comprises the step of deforming the initiating part of the sleeve (12) to a greater degree than that of the remainder of the sleeve (12) and holding the initiating part of the sleeve (12) in its state of greater deformation by means of a suitable projection or other formation of the support (Fig 4a). With respect to claim 27, Hansen discloses a method of enclosing an object (1) comprising placing support (16) over the object (1), relaxing the initiating part of the sleeve (12, Fig 4a), and causing the sleeve (12) to be removed from the support (16) and to recover and thereby enclose the object (1, Fig 4a-4c).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They are Hoffman et al (Pat Num 6,762,364), Holt et al (Pat Num 5,070,597), Andou et al (Pat Num 5,297,585), Sievert (Pat Num 3,515,798), Midgley (Pat Num 4,287,012), Keith (Pat Num 4,389,440), Barrat (Pat Num 5,347,089), Chang et al (Pat Num 5,098,752), Yaworski et al (Pat Num 5,280,136), Knorr (Pat Num 4,871,599), Krackeler et al (Pat Num 4,585,607), Guzay, Jr (Pat Num 4,506,430),

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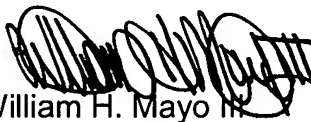
Biersdorf et al (Pat Num 5,373,616), Jeremko (Pat Num 5,922,423), Heyer et al (Pat Num 6,015,629), Mueller (Pat Num 6,235,134), Ohtsubo (Pat Num 6,911,596), Fitch et al (Pat Num 5,322,972), Nolf (Pat Num 4,734,543), all of which rubber connectors.

Communication

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (571)-272-1978. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William H. Mayo III
Primary Examiner
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WHM III
March 15, 2007